



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Neng-Yang Shih, et al.

Serial No.: 10/612,176

Filed: 07/02/2003

For: NK<sub>1</sub> Antagonists

Examiner: To Be Assigned

Group Art Unit: 1614

Atty. Docket No.: CN01576K1

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to Rule 56, it is requested that the documents listed on the accompanying PTO-1449 Form be considered and made of record in the above-identified patent application. Copy(ies) of these references  are attached  were filed in related application U.S. Serial No(s) \_\_\_\_\_ filed \_\_\_\_\_, respectively.

**(b)** No fee is believed due because:

- This Information Disclosure Statement is being filed within three (3) months of the filing date of the application.
- This Information Disclosure Statement is being concurrently filed with the above-identified application.
- This Information Disclosure Statement is being concurrently filed with a Request for Continued Examination (RCE).
- This Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits.

**(c)**  This Information Disclosure Statement is being filed before the mailing date of any final action, notice of allowance or an action that otherwise closes prosecution; and

- Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or
- The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

February 25, 2004

Page 2 of 2



(d)  This Information Disclosure Statement is being filed on or before the payment of the issue fee; and

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and

The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0365, Patent Case No. CV01378K.

Respectfully submitted,  
SCHERING-PLOUGH CORPORATION

Dated: February 25, 2004  
 SCHERING-PLOUGH CORPORATION  
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By:

Thomas A. Blinka

Name: **Thomas A. Blinka**  
 Reg. No.: **44,541**  
**Attorney of Record**  
 Telephone No.: (908) 298-**6791**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450 ON February 25, 2004  
 (DATE OF DEPOSIT)

Thomas A. Blinka, REG. NO. 44,541  
 (REGISTERED REPRESENTATIVE)

Thomas A. Blinka 2/25/04  
 (SIGNATURE AND DATE)



TO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			ATTY. DOCKET NO.: <b>CN01576K1</b>		APPLICATION NO.: <b>10/612,176</b>		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>					APPLICANT: <b>NENG-YANG SHIH et al.</b>				
					FILING DATE: <b>07/02/2003</b>		GROUP: <b>1614</b>		
<b>U.S. PATENT DOCUMENTS</b>									
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME		CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE	
	AA								
	AB								
	AC								
	AD								
	AE								
	AF								
	AG								
	AH								
	AI								
	AJ								
	AK								
<b>FOREIGN PATENT DOCUMENTS</b>									
	DOCUMENT NUMBER	DATE	COUNTRY		CLASS	SUB-CLASS	TRANSLATION		
	AL	WO 95/19344	07/20/95	PCT				YES	NO
	AM	WO 94/10165	05/11/94	PCT					
	AN								
	AO								
	AP								
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>									
	AQ	Patent Cooperation Treaty International Search Report, PCT/US/03/20783 (CN01576K) – International Filing Date 02/07/2003 – 3 Pages							
	AR								
	AS								
	AT								
	AU								
	AV								
EXAMINER				DATE CONSIDERED					

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO.: <b>CN01576K1</b>	APPLICATION NO.: <b>10/612,176</b>
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT: <b>NENG-YANG SHIH et al.</b>	
(Use several sheets if necessary)		FILING DATE: <b>07/02/2003</b>	GROUP: <b>1614</b>

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
AA						
AB						
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
						YES NO
AL	WO 95/19344	07/20/95	PCT			
AM	WO 94/10165	05/11/94	PCT			
AN						
AO						
AP						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AQ	Patent Cooperation Treaty International Search Report, PCT/US/03/20783 (CN01576K) – International Filing Date 02/07/2003 – 3 Pages
AR	
AS	
AT	
AU	
AV	

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

MAR 01 2004

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM  (to be used for all correspondence after initial filing)	Application Number	10/612,176	
	Filing Date	07/02/2003	
	First Named Inventor	Neng-Yang Shih, et al.	
	Art Unit	1614	
	Examiner Name	To Be Assigned	
Total Number of Pages in This Submission	4	Attorney Docket Number	CN01576K1

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  References (3); Post Card
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Thomas A. Blinka, Reg. No. 44,541
Signature	<i>Thomas A. Blinka</i>
Date	02/25/2004

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Thomas A. Blinka, Reg. No. 44,541	
Signature	<i>Thomas A. Blinka</i>	Date
	02/25/2004	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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